

AFTER RECORDING RETURN TO:

Sheets & Crossfield, P.C.
309 E. Main St.
Round Rock, Texas 78664

CORRECTION DEDICATION DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WILLIAMSON §

BRUSHY CREEKY, LTD., a Texas limited partnership, hereinafter referred to as Grantor (whether one or more), the undersigned, ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by WILLIAMSON COUNTY, TEXAS, a political subdivision organized and existing under the laws of the State of Texas ("Grantee"), has, subject to the Reservations from and Exceptions to the Conveyance and Warranty set forth below, DEDICATED, GRANTED, SOLD, and CONVEYED, and by these presents does DEDICATE, GRANT, SELL, and CONVEY, unto Grantee, the real property situated in Williamson County, Texas, which is not the homestead of Grantor, and which is described as follows (the "Property"):

SEE **EXHIBIT "A"** ATTACHED HERETO

TO HAVE AND TO HOLD the above-described Property, unto Grantee, its legal representatives, successors and assigns, forever; and Grantor does hereby bind itself, its successors and assigns, to WARRANT and FOREVER DEFEND, all and singular, the

above-described Property unto Grantee, its legal representatives, successors and assigns, against every person or entity whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor, but not otherwise, and except as to the Reservations from and Exceptions to Conveyance and Warranty set forth below.

Reservations from and Exceptions to Conveyance and Warranty:

Grantor specifically excepts from this conveyance all of the water, wastewater, and drainage utility facilities and infrastructure in, on, or under the Property (the “MUD Facilities”) and expressly reserves for Grantor and Grantor’s successors and assigns a non-exclusive easement over, under, and across the Property for the purposes of construction, installation, operation, maintenance, inspection, repair, upgrade, replacement, relocation, and removal of the MUD Facilities and related appurtenances and providing access and making connections thereto (the “Reserved Easement”), which Reserved Easement Grantor hereby assigns, transfers, sets over, and conveys to Williamson County Water, Sewer, Irrigation, and Drainage District No. 3 (the “MUD”).

This conveyance is expressly made and accepted subject to all matters on the ground that a true and correct survey would reveal and all valid and subsisting easements, restrictions, reservations, covenants, conditions, and other matters relating to the Property to the extent that the same are valid and enforceable against the Property, as same are shown by instruments filed for record in the office of the County Clerk of Williamson County, Texas.

THIS CORRECTION SPECIAL WARRANTY DEED IS MADE BY GRANTOR AND ACCEPTED BY GRANTEE AS A CORRECTION DEED IN SUBSTITUTION OF THAT CERTAIN DEDICATION DEED DATED MARCH 2, 2016 AND RECORDED UNDER DOCUMENT NO. 2016019888, OFFICIAL PUBLIC

**RECORDS OF WILLIAMSON COUNTY, TEXAS (THE “ORIGINAL DEED”), TO CORRECT THE
LEGAL DESCRIPTION OF THE PROPERTY IN THE ORIGINAL DEED BY EXCEPTING THE MUD
FACILITIES FROM THE CONVEYANCE AND RESERVING THE RESERVED EASEMENT. GRANTOR
AND GRANTEE HEREBY CONFIRM AND AGREE THAT THE PROPERTY DOES NOT INCLUDE THE
MUD FACILITIES AND IS SUBJECT TO THE RESERVED EASEMENT, AND THAT GRANTOR DID
NOT INTEND TO CONVEY IN THE ORIGINAL DEED, AND DOES NOT CONVEY IN THIS CORRECTION
DEDICATION DEED, ANY INTERESTS OF GRANTOR IN OR TO THE MUD FACILITIES. BY ITS
SIGNATURE BELOW GRANTEE RELEASES, AND QUITCLAIMS UNTO THE MUD, ALL OF
GRANTEE’S RIGHT, TITLE, AND INTEREST IN AND TO THE MUD FACILITIES.**

Other than the stated corrections, this Correction Dedication Deed is intended to restate in all respects the Original Deed, and the effective date of this Correction Dedication Deed relates back to the effective date of the Original Deed.

* * *

(The remainder of this page intentionally left blank, and signature page follows.)

IN WITNESS WHEREOF, this Correction Dedication Deed is executed on the date(s) set forth below, to be effective as of March 2, 2016.

GRANTOR:

BRUSHY CREEK, LTD., a Texas limited partnership

By: Commerce Texas Properties, Inc., a Texas corporation, General Partner

By: _____
Timothy Timmerman, President

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF _____

This instrument was acknowledged before me on _____, 2018 by Timothy Timmerman, President of Commerce Texas Properties, Inc., a Texas corporation, General Partner of Tack Development, Ltd., a Texas limited partnership, on behalf of said corporation and limited partnership.

Notary Public, State of Texas
My commission expires: _____

GRANTEE:

WILLIAMSON COUNTY, TEXAS

By: _____
Dan A. Gattis, Williamson County
Judge

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF WILLIAMSON

This instrument was acknowledged before me on _____, 2018 by Dan A. Gattis, as County Judge of Williamson County, Texas, a political subdivision of the State of Texas, on behalf of said political subdivision.

Notary Public, State of Texas
My commission expires: _____

EXHIBIT A

1.270 ACRES
BRUSHY CREEK LTD
70 FOOT WIDE STREET DEDICATION

FN NO. 16-068(MJJ)
FEBRUARY 24, 2016
BURY NO. R0101869-10006

DESCRIPTION

OF 1.270 ACRES OF LAND OUT OF THE JAMES H. NEILY SURVEY NO. 30, ABSTRACT NO. 485, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN REMAINING PORTION OF A 293.52 ACRE TRACT OF LAND CONVEYED TO BRUSHY CREEK LTD, BY DEED OF RECORD IN DOCUMENT NO. 1997031656 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 1.270 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap found in the northerly right-of-way line of Gattis School Road (R.O.W, varies), being the southwesterly corner of that certain 30.00 acre tract of land conveyed to HEB Grocery Company, L.P., by deed of record in Document No. 2006027468 of said Official Public Records and the southeasterly corner of the remaining portion of that certain 8.4643 acre tract of land conveyed to Tack Development, Ltd. by deed of record in Document No. 2006027466 of said Official Public Records;

THENCE, N26°28'09"W, leaving the northerly right-of-way line of Gattis School Road, along the easterly line of said 8.4643 acre remainder tract, being a portion of the westerly line of said 30.00 acre tract, a distance of 356.05 feet to a 1/2 inch iron rod with "BURY" cap set at the southeasterly corner of said 293.52 acre remainder tract, being the northeasterly corner of said 8.4643 acre tract, for the POINT OF BEGINNING and southeasterly corner hereof;

THENCE, S07°26'53"W, along the common line of said 8.4643 acre remainder tract and said 293.52 acre remainder tract, for the southerly line hereof, a distance of 125.45 feet to a 1/2 inch iron rod with "BURY" cap set in the easterly line of Lot 1, Block "A" Star Ranch Section 6, a subdivision of record in Document No. 2007022448 of said Official Public Records, being the northwesterly corner of said 8.4643 acre remainder tract, for the southwesterly corner hereof;

THENCE, in part along the common line of said Lot 1 and said 8.4643 acre remainder tract and in part over and across said 293.52 acre remainder tract, for the westerly line hereof, the following four (4) courses and distances:

- 1) N26°28'09"W, a distance of 121.06 feet to a 1/2 inch iron rod with cap found for the point of curvature of a curve to the right;
- 2) Along said curve to the right having a radius of 505.00 feet, a central angle of 52°47'07", an arc length of 465.25 feet and a chord which bears, N00°04'29"W, a distance of 448.97 feet to a 1/2 inch iron rod with cap found for the end of said curve:

EXHIBIT A

- 3) N26°19'06"E, a distance of 376.31 feet to a 1/2 inch iron rod with "BURY" cap set for the point of curvature of a curve to the right;
- 4) Along said curve to the right having a radius of 505.00 feet, central angle of 01°33'32", an arc length of 13.74 feet and a chord which bears, N27°05'52"E, a distance of 13.74 feet to a 1/2 inch iron rod with "BURY" cap set in the common line of said 293.52 acre remainder tract and that certain remaining portion of a 26.1086 acre tract of land conveyed to Tack Development, Ltd. by deed of record in Document No. 2003031850 of said Official Public Records, for the northwesterly corner hereof;

THENCE, S07°26'53"W, along the common line of said 26.1086 acre remainder tract and said 293.52 acre remainder tract, for the northeasterly line hereof, a distance of 215.85 feet to a 1/2 inch iron rod with "BURY" cap set for the northeasterly corner hereof, from which a 1/2 inch iron rod with cap found in the common line of said 26.1086 acre remainder tract and said 30.00 acre tract bears, N26°19'06"E, a distance of 190.44 feet;

THENCE, along the common line of said 293.52 acre remainder tract and said 30.00 acre tract, for the easterly line hereof, the following three (3) courses and distances:

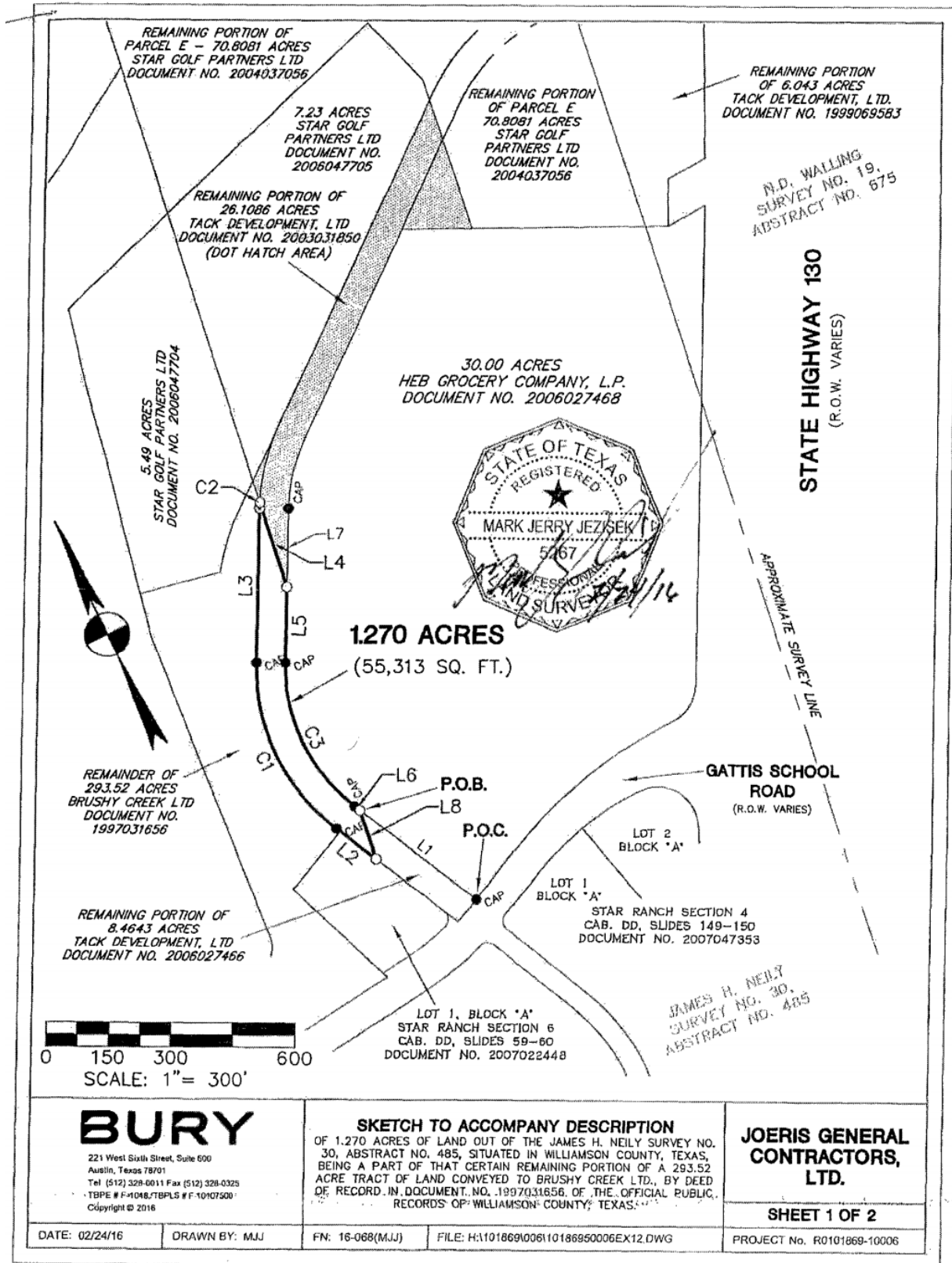
- 1) S26°19'06"W, a distance of 185.79 feet to a 1/2 inch iron rod with cap found for the point of curvature of a curve to the left;
- 2) Along said curve to the left having a radius of 435.00 feet, a central angle of 52°47'06", an arc length of 400.75 feet and a chord which bears, S00°04'29"E, a distance of 386.73 feet to a 1/2 inch iron rod with cap found for the end of said curve;
- 3) S26°28'09"E, a distance of 16.95 feet to the **POINT OF BEGINNING**, containing an area of 1.270 acres (55,313 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

BURY-AUS, INC.
221 WEST SIXTH STREET
SUITE 600
AUSTIN, TEXAS 78701

Mark J. Jezisek 2/24/16
MARK J. JEZISEK
R.P.L.S. NO. 5267
STATE OF TEXAS
TBPLS # F-10107500





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BEARING BASIS NOTE:

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK. DISTANCES SHOWN HEREON ARE BASE ON SURFACE MEASUREMENTS TO COVERT SURFACE MEASUREMENTS TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR OF: 0.999882578

LEGEND

● 1/2" IRON ROD FOUND
(UNLESS NOTED)

○ 1/2" IRON ROD WITH
"BURY" CAP SET

P.O.B. POINT OF BEGINNING

P.O.C. POINT OF COMMENCEMENT

**LINE TABLE**

NO.	BEARING	DISTANCE
L1	N26°28'09"W	356.05'
L2	N26°28'09"W	121.06'
L3	N26°19'06"E	376.31'
L4	S7°26'53"W	215.85'
L5	S26°19'06"W	185.79'
L6	S26°28'09"E	16.95'
L7	N26°19'06"E	190.44'
L8	S7°26'53"W	125.45'

CURVE TABLE

NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	465.25'	505.00'	52°47'07"	N00°04'29"W	448.97'
C2	13.74'	505.00'	1°33'32"	N27°05'52"E	13.74'
C3	400.75'	435.00'	52°47'06"	S00°04'29"E	386.73'

BURY

221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel (512) 328-0011 Fax (512) 328-0325
TBP# F-1048 TBP# F-10107500
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SKETCH TO ACCOMPANY DESCRIPTION

OF 1.270 ACRES OF LAND OUT OF THE JAMES H. NEILY SURVEY NO. 30, ABSTRACT NO. 485, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN REMAINING PORTION OF A 293.52 ACRE TRACT OF LAND CONVEYED TO BRUSHY CREEK LTD., BY DEED OF RECORD, IN DOCUMENT, NO. 1997031656 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

**JOERIS GENERAL
CONTRACTORS,
LTD.**

SHEET 2 OF 2

DATE: 02/24/16

DRAWN BY: MJJ

FN: 16-068(MJJ)

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PROJECT No. R0101869-10006

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